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15 Attorneys for Defendants  
16 SAP AG, SAP AMERICA, INC., and  
TOMORROWNOW, INC.

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 ORACLE CORPORATION, a Delaware  
corporation, ORACLE USA, INC., a  
21 Colorado corporation, and ORACLE  
INTERNATIONAL CORPORATION, a  
22 California corporation,

Case No. 07-CV-1658 MJJ

**STIPULATION AND [PROPOSED]  
ORDER RESCHEDULING CASE  
MANAGEMENT CONFERENCE**

23 Plaintiffs,

24 v.

25 SAP AG, a German corporation, SAP  
AMERICA, INC., a Delaware corporation,  
26 TOMORROWNOW, INC., a Texas  
corporation, and DOES 1-50, inclusive,

27 Defendants.

SVI-50173v1

STIPULATION AND [PROPOSED] ORDER  
RESCHEDULING CMC  
Case No. 07-CV-1658 MJJ

**STIPULATION RESCHEDULING CASE MANAGEMENT CONFERENCE**

IT IS HEREBY STIPULATED AND AGREED between Plaintiffs Oracle Corporation, Oracle USA, Inc., and Oracle International Corporation on the one hand and Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. on the other, by and through their undersigned counsel, that due to unavailability of counsel on the current Case Management Conference date of September 11, 2007, good cause exists to reschedule the Case Management Conference in this action to September 18, 2007, at 2 p.m., or as soon thereafter as the matter may be heard before the Honorable Martin J. Jenkins in courtroom 11 on the 19<sup>th</sup> Floor of the United States District Court for the Northern District of California, San Francisco Division.

**IT IS SO AGREED AND STIPULATED,**

DATED: September 6, 2007 JONES DAY

JONES DAY

By: /S/ Tharan Gregory Lanier  
Tharan Gregory Lanier

Attorneys for Defendants  
SAP AG, SAP AMERICA, INC., and  
TOMORROWNOW, INC.

In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

DATED: September 6, 2007

BINGHAM McCUTCHEN LLP

By: /S/ Geoffrey M. Howard  
Geoffrey M. Howard

Attorneys for Plaintiffs  
ORACLE CORPORATION, ORACLE  
INTERNATIONAL CORPORATION, and  
ORACLE USA, INC.

**ORDER**

Pursuant to the Stipulation between the parties, the Case Management Conference in this matter will be rescheduled to September 18, 2007, at 2 p.m., or as soon thereafter as the matter may be heard.

## **IT IS SO ORDERED.**

DATED: , 2007

By: \_\_\_\_\_  
THE HONORABLE MARTIN J. JENKINS  
UNITED STATES DISTRICT JUDGE